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William Phelan

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EXAMINER

SWARTZ, JAMIE H

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/993,992	Applicant(s) PHELAN ET AL.	
	Examiner JAMIE H. SWARTZ	Art Unit 3694	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) 7-33 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status

1. The final rejection dated October 31, 2007 has been withdrawn. Claims 1-34 are pending. Claims 7-33 have been withdrawn.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-6 and 34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Regarding claims 1-6 and 34, the phrase "a method for automatically exchanging credit information" renders the claim indefinite. As the claim fails to exchange any form of credit information. The claim only obtains a payment history and then stores a payment history. Thus the claim fails to teach what it claims to teach.

5. Regarding claim 2, the phrase "creating scoring " renders the claim indefinite. As the claim fails to exchange any form of credit information. The claim only obtains a payment history and then stores a payment history. Thus the claim fails to teach what it claims to teach.

6. Regarding claim 5, the phrase “formatting the payment history file into a payment history report further comprises” renders the claim indefinite. The claim performs a search of the account history. The claim fails to “format” a history file. The claim only searches for data files, and does not format or modify anything.

7. Regarding claim 5, the phrase “the matching customer” renders the claim indefinite. It is unclear what a “the matching customer” is. It is also unclear how formatting a payment history file would involve searching for a customer. Is this a search for a customer whose file needs to be formatted?

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 1, 3, 34 are rejected under 35 U.S.C. 102(b) as being anticipated by Schrader et al. (US 5903881 A).

10. Regarding claim 1, Schrader teaches automatically exchanging credit information (see at least col. 16, line 40 – col. 17, line 20). Schrader teaches obtaining payment history data from a member's accounting system, wherein the payment history data is associated with at least a first customer (see at least col. 10, lines 9-54, col. 5, line 60 –

col. 7, line 15). Schrader teaches creating a payment history file that contains the payment history data (see at least col. 12, lines 28-62, col. 13, line 10 – col. 14, line 50). Schrader teaches loading the payment history file through the Internet to a system database (see at least col. 12, lines 28-62, col. 13, line 10 – col. 14, line 50). Schrader teaches validating the payment history data by comparing the obtained history data to a data record associated with the first customer if the data record associated with the first customer is present in a centralized data repository (col. 11, line 56 – col. 12, line 26, col. 16, line 62 – col. 18, line 43). Schrader teaches evaluating the payment history data in the payment history file (see at least col. 5, line 60 – col. 7, line 15). Schrader teaches formatting the payment history file into a payment history report (col. 13, line 42 – 45). Schrader teaches storing the payment history report in the centralized data repository (see at least col. 13, line 5 – col. 14, line 56).

11. Regarding claim 3, Schrader teaches automatically exchanging credit information (see at least col. 16, line 40 – col. 17, line 20). Schrader opening the payment history; determining the payment history file type; validating the format of the payment history file; loading the payment history file into a system database file (col. 10, line 54 – col. 11, line 40, col. 18, line 8-17, col. 16, line 40-61, col. 13, line 7 – col. 14, line 57, col. 17, line 5-11, col. 18, line 46-65, col. 15, line 55 – col. 16, line 21, claim 7). Schrader teaches performing a scrubbing routine on the payment history data to remove suspect payment history data (col. 11, line 56 – col. 12, line 26, col. 16, line 62 – col. 18, line 43). Schrader teaches performing matching routines on the payment history data,

wherein new lenders are created if no matching lender is found in the system database, and at least one of adding or updating payment history data in the system database is performed if a matching lender is found in the system database (col. 9, line 19-30, col. 16, line 63 - col. 18, line 62).

12. Regarding claim 34, Schrader teaches automatically exchanging credit information (see at least col. 16, line 40 – col. 17, line 20). Schrader teaches obtaining payment history data from a member's accounting system over the Internet, wherein the payment history data is associated with at least a first customer (see at least col. 10, lines 9-54, col. 5, line 60 – col. 7, line 15). Schrader teaches attempting to retrieve customer data associated with the first customer from a centralized data repository (col. 13, line 10 – col. 14, line 50). Schrader teaches validating the payment history data by comparing the obtained history data to the historical payment customer data associated with the first customer (col. 11, line 56 – col. 12, line 26, col. 16, line 62 – col. 18, line 43). Schrader teaches formatting the payment history data into a payment history report and storing the payment history report in the centralized data repository (see at least col. 13, line 5 – col. 14, line 56).

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claim 2 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schrader et al. (US 5903881 A) in view of Basch et al. (US 6119103 A).

15. Regarding claim 2, Schrader teaches automatically exchanging credit information (see at least col. 16, line 40 – col. 17, line 20). Schrader teaches modeling (see at least col. 5, line 60 – col. 7, line 15). Schrader does not specifically teach scoring. However Basch teaches scoring of customer information(col. 3, line 50 – col. 20, line 53). Schrader teaches online banking and financial transactions and using that data for further functions. Basch teaches receiving transaction data pertaining to a plurality of transactions for a financial account and using that data for further functions. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Schrader to include the details of credit scoring. Schrader uses the financial information such as bill payment and account balances used for credit scoring. It is the responsibility of a prudent business owner to evaluate the credit worthiness of customers before extending credit. Since the customer information and past credit history is in financial programs it would have been obvious to add credit evaluation to this tool in order to identify credit risks and problematic accounts.

16. Regarding claim 6, Schrader teaches automatically exchanging credit information (see at least col. 16, line 40 – col. 17, line 20). Schrader teaches modeling (see at least col. 5, line 60 – col. 7, line 15). Schrader does not specifically teach scoring. However

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Basch teaches computing summary and scoring information, including a high credit value, a total lease balance, total current payments, and a total number of times a customer had an overdue payment; and displaying the summary information (col. 3, line 50 – col. 20, line 53). Schrader teaches online banking and financial transactions and using that data for further functions. Basch teaches receiving transaction data pertaining to a plurality of transactions for a financial account and using that data for further functions. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Schrader to include the details of credit scoring. Schrader uses the financial information such as bill payment and account balances used for credit scoring. It is the responsibility of a prudent business owner to evaluate the credit worthiness of customers before extending credit. Since the customer information and past credit history is in financial programs it would have been obvious to add credit evaluation to this tool in order to identify credit risks and problematic accounts.

17. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schrader et al. (US 5903881 A) in view of Mullins (August 1998).

18. Regarding claim 4, Schrader teaches a scrubbing routine on the payment history and modifying the payment history data (col. 11, line 56 - col. 12, line 26, col. 16, line 62 - col. 18, line 43). Schrader does not specifically teach thresholds within a scrubbing routine. However, Mullins teaches performing a scrubbing routine on the data further comprises the step of modifying the suspect data based upon thresholds set by the

member (pg. 1-6). Schrader teaches online banking and financial transactions and using that data for further functions. Mullins teaches data mining and data cleansing. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Schrader to include the details of a threshold. It is important to validate data in order to prevent processing errors in the future. The threshold to data scrubbing is a necessity because data scrubbing is by nature something that could go on until infinity. It is a resource application problem. Some limits need to be placed in order to avoid using up all your resources. While these small errors may seem like a trivial problem, when merging corrupt or erroneous data into multiple databases, the problem may be multiplied by the millions. This so-called "dirty data" has been a problem as long as there have been computers, but the problem is becoming more critical as businesses are becoming more complex and data warehouses are merging data from multiple sources. There is no point in having a comprehensive database if that database is filled with errors and disputed information.

19. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schrader et al. (US 5903881 A) in view of Official Notice.

20. Regarding claim 5, Schrader teaches automatically exchanging credit information (see at least col. 16, line 40 – col. 17, line 20). Schrader teaches formatting the payment history file into a payment history report (col. 13, line 42 – 45). However, Schrader does not specifically teach search criteria. However, Official notice is taken that the six steps

taken in claim 5 with respect to search criteria are old and well known in the art at the time of the invention to be basic steps in a typical search query. Every search query involves first having a criteria or search topic. The databases are then searched for whatever specific details that are desired. As each search is run a search history keeps the log of the search. If a match to the query is found the customer data is displayed. The final steps to a typical search query involve generating a report and either displaying it on a computer screen or printing the data out.

21. Examiner's Note: The Examiner has cited particular columns and line numbers in the references as applied to the claims for the convenience of the applicant.

Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMIE H. SWARTZ whose telephone number is (571)272-7363. The examiner can normally be reached on 8:00am-4:30pm Monday-Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (571) 272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. H. S./

Examiner, Art Unit 3694

/James P Trammell/

Supervisory Patent Examiner, Art Unit 3694